

VILLAGE OF NORTHFIELD ORDINANCE NO. 2014-62

AN EMERGENCY ORDINANCE AMENDING SECTION 246.065 OF THE CODIFIED ORDINANCES REGARDING THE RECOVERY OF COSTS ASSOCIATED WITH THE DELIVERY OF FIRE DEPARTMENT SERVICES BEYOND EMS SERVICES

WHEREAS, fire departments respond to an ever increasing number of emergency and potential emergency events each year; and

WHEREAS, due to the above, more and more regulations are being implemented regarding training and equipment that increase and place additional demands on how fire department services must be performed; and

WHEREAS, maintaining an effective response time and meeting all training and equipment regulations benefits the public benefit and ultimately decreases insurance company costs by saving lives and minimizing property damage; and

WHEREAS, Council desires to implement a fair and equitable process for recovering costs associated with providing fire department services beyond ems services, including, but not limited to, traffic crash response, damaged gas line response, utility company wait time, illegal burn, search and rescue, structure or other fires, hazmat response, water or other rescue, and prepping for care flight.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby and herein amends Section 246.065 of the Codified Ordinances relating to cost recovery for fire department services as set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the Codified Ordinances of the Village of Northfield shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Ordinance were taken in an open meeting of this Council or any of its legal committees and were in compliance with all legal requirements.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that it will assist with the operation of a municipal department, and that this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of the time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

ORDINANCE NO. 2014-
PAGE TWO

IN WITNESS WHEREOF, we have hereunto set our hands this ____ day of _____, 2014.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan Director of Law

I, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the ____ day of _____, 2014.

Clerk of Council

246.065

**AMBULANCE EMERGENCY SQUAD SERVICE AND
DELIVERY OF ADDITIONAL FIRE DEPARTMENT SERVICES.**

(a) The Village provides ambulance emergency squad services at the rates set forth in the Equipment and Supplies Fee Schedule established by the Summit County Fire Chief's Association, as amended from time to time. Charges for additional Fire Department services, such as, but not limited to, traffic crash response, damaged gas line response, utility company wait time, illegal burn, search and rescue, structure or other fires, hazmat response, water or other rescue, and prepping for care flight, shall be provided at the rates set forth in the attachment to Village of Northfield Ordinance No. 2014-62 or any successor ordinance thereto. If the user has insurance, the Village will accept as full payment the usual and customary rates as allowed by the particular insurance company for the services provided.

(b) The Director of Finance is hereby directed to collect all such sums and deposit the same into the general Fire Department account. Monies received as reimbursement for ambulance emergency squad service shall be used for Department expenditures.

VILLAGE OF NORTHFIELD ORDINANCE NO. 2014- 63

AN EMERGENCY ORDINANCE AMENDING SECTION 1610.13 OF THE FIRE PREVENTION CODE RELATING TO PERMITS AND PERMIT FEES

WHEREAS, the Fire Department desires to update Section 1610.13 of the Fire Prevention Code to permit the payment of a one-time annual inspection permit fee to cover certain types of multiple inspections that may be necessary within a calendar year; and

WHEREAS, Council desires to amend Section 1610.13 to accomplish the above.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Council of the Village of Northfield hereby and herein amends Section 1610.13 of the Fire Prevention Code, as indicated in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the rest and remainder of the Codified Ordinances shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Ordinance were taken in an open meeting of this Council or any of its legal committees and were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it will assist with the operation of a Municipal department, and this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2014.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2014.

Clerk of Council

EXHIBIT A

1610.13 PERMITS AND FEES.

Except for those permits that are issued and authorized by the State Fire Marshal, the following permits shall be required to be obtained from the Fire Chief, Municipal Fire Safety Inspector, or their designee, based upon the fee schedule indicated.

- (a) Fire Prevention Permits.
 - (1) Fire alarm system installation and annual testing. \$75
 - (2) Kitchen hood installation and annual testing. \$75
 - (3) Sprinkler system installation and annual testing. \$75
 - (4) Pre-occupancy inspection. \$75
 - (5) Additional fee if site or witness visit or certification is required. \$25
- (b) New Construction Fees.
 - (1) Plan review and initial inspection. \$200
 - (2) Additional inspections. \$50 per visit
- (c) Existing Business/Non-Residential Property Inspections.
 - (1) Annual fire safety inspection. no charge
 - (2) Annual fire safety first re-inspection. no charge
 - (3) Annual fire safety second re-inspection. \$50
 - (4) Annual fire safety third re-inspection. \$100
- (d) Special Fire Prevention Permits.
 - (1) Hydrant use. no charge
 - (2) Bonfire permit. \$25 + site visit
 - (3) Outdoor special event. \$75 + site visit
 - (4) Outdoor fireworks display. \$75 + site visit

In the case of outdoor fireworks displays, the Chief or his designee shall also determine the appropriate number of firefighters required to be on scene from one-half hour before until one-half hour after the display at a rate of \$25 per firefighter per hour.

 - (5) Indoor fireworks or pyrotechnic display. \$75 + site visit

In the case of indoor fireworks or pyrotechnic displays, the Chief or his designee shall also determine the appropriate number of firefighters required to be on scene from one-half hour before until one-half hour after the display at a rate of \$25 per firefighter per hour.
- (e) All permit fees and firefighter site presence fees shall be paid prior to the permit being issued.
- (f) At least forty-eight hours' notice is required for all tests that need to be witnessed by a fire prevention officer.
- (g) All annual or expiring permits shall be renewed prior to their expiration date.

- (h) Schools, churches or houses of worship, and publicly owned buildings are required to obtain any required permits but are not required to pay permit fees.
- (i) Applications for permits shall be made to the Village Fire Department on forms prescribed by the Fire Chief. The Fire Chief or his designee may require permit applications to include plans or drawings necessary for evaluation of the application and permit.
- (j) Entities that regularly require multiple inspections within a calendar year related to fire alarm annual testing, kitchen hood annual testing, or sprinkler system annual testing shall be permitted to remit a \$150 annual inspection permit fee payment in lieu of the \$75 permit fee per inspection. Such entities shall still be responsible for any \$25 witness visit or certification fees for each inspection that requires a visit or Fire Department certification. The \$150 annual inspection permit fee shall not cover pre-occupancy inspections, new construction fees, second or more re-inspection fees for the same violation, or any Special Fire Prevention Permits set forth in subsection (d) of this ordinance.

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**VILLAGE OF NORTHFIELD RESOLUTION NO. 2014-
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO RENEW THE
VILLAGE'S AGREEMENT WITH THE LEGAL DEFENDERS OFFICE OF SUMMIT
COUNTY, OHIO FOR INDIGENT REPRESENTATION IN STOW MUNICIPAL COURT**

WHEREAS, the agreement between the Village and the Legal Defender's Office of Summit County, Ohio for indigent representation in the Stow Municipal Court expires on December 31, 2014; and

WHEREAS, the Village is required by the State to provide for representation of indigent individuals charged with violations of the Village's criminal code, and the Summit County Legal Defender's Office is currently providing that service; and

WHEREAS, it is the desire of Council to authorize the Mayor to renew the Village's agreement with the Legal Defender's Office of Summit County to provide for such representation for 2015.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby and herein authorizes the Mayor to renew the Village's agreement with the Legal Defender's Office of Summit County for the year 2015 to provide representation to indigent defendants in the Stow Municipal Court charged with violations of the Village's criminal code for the amount of \$170 per case. A copy of the agreement is attached hereto and incorporated herein by reference.

SECTION 2. That all formal actions of this Council concerning the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its legal committees and were in compliance with all legal requirements.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it is a necessary component of the Village's law enforcement responsibilities, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this ____ day of _____, 2014.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2014.

Clerk of Council

AGREEMENT

This Agreement made at the VILLAGE OF NORTHFIELD , Ohio on this _____ day of _____, _____, by and between the VILLAGE OF NORTHFIELD , Ohio, acting by and through its Mayor (or designee) duly authorized by Ordinance/Resolution No. _____, _____, passed by the Council of the VILLAGE OF NORTHFIELD , Ohio on the _____ day of _____, _____, hereinafter referred to as the VILLAGE and the Summit County Public Defender's Commission, One Cascade Plaza Suite 1940, Akron, Ohio hereinafter referred to as the DEFENDER.

WITNESSETH:

WHEREAS, the VILLAGE has entered into an agreement to obtain the services of the DEFENDER to provide legal counsel to indigent persons charged with loss of liberty offenses in its municipal jurisdiction for 2015; and

WHEREAS, pursuant to Chapter 120 of the Ohio Revised Code and Administrative Code 120-1-09 it is necessary to enter into this Agreement in order for said County to obtain reimbursement pursuant to Chapter 120 and Administrative Rule 120-1-09 of the Ohio Administrative Code.

NOW, THEREFORE, in consideration of the mutual covenants, promises, conditions, and terms to be kept and performed, it is agreed between the parties as follows:

Section 1. The DEFENDER shall provide counsel in the Stow Municipal Court to persons charged with a violation of the Codified Ordinances of the VILLAGE OF NORTHFIELD , Ohio, and who meet all the following specifications:

- a. The judge has determined in accordance with Subsection D of Rule 44 of the Ohio Rules of Criminal Procedure that such person is unable to obtain legal counsel.
- b. Such person has not waived the right to counsel in accordance with Rule 43 (C) of the Ohio Rules of Criminal Procedure.

- c. The judge determines that a sentence of confinement may be imposed on such person should he be convicted.
- d. Defines "eligible person" as an individual who at the time this need is determined, to be indigent in accordance with Sections 120.05 and 120.15 of the Ohio Revised Code and Section 120-1-03 of the Ohio Administrative Code and other rules and standards established by the Ohio Public Defender and the Commission.

Section 2. The VILLAGE shall pay to the DEFENDER a fee for the services provided in Section 1 of the Agreement of One Hundred Seventy Dollars (\$170.00) per case for all cases opened between January 1, 2015 through December 31, 2015.

a. The parties hereto agree that said representation of such indigent person shall not exceed the fee schedule in effect and adopted by Summit County, Ohio (said fee schedule currently allows payment of up to \$750.00 per case as and for a trial.)

Section 3. The DEFENDER shall send semi-annual statements to the VILLAGE certifying the number of cases completed during the preceding months.

Section 4. The Agreement shall expire on December 31, 2015.

Section 5. In the event the VILLAGE does not renew this Agreement, the VILLAGE agrees to pay the DEFENDER the amount of One Hundred-Seventy Dollars (\$170.00) per pending case upon the completion of said case.

Section 6. Should the DEFENDER be succeeded by a county defender organized in accordance with the Ohio Revised Code, the DEFENDER may assign its duties under this assignment and shall not be made by either party without the prior written consent of the other; provided, however, that the DEFENDER is expressly authorized to provide the services described in Section 1 through the Legal Defender Office of Summit County, Ohio Inc.

Section 7. Should the DEFENDER or any other entity receive reimbursement for the services performed by the DEFENDER, the DEFENDER shall insure the VILLAGE receives its prorated share of such reimbursement through credit toward the VILLAGE's payment and/or payments, direct or indirect, to the VILLAGE.

Section 8. The DEFENDER shall defend and hold harmless the VILLAGE from any and all claims or liability resulting from the services performed by the DEFENDER under the contract.

Section 9. All amendments to this Agreement shall be in writing and signed by both parties.

Section 10. This contract shall be subject to the approval of the Ohio Public Defender Commission.

IN WITNESS WHEREOF, this Agreement has been executed as of the day and year first above written.

IN THE PRESENCE OF:

VILLAGE OF NORTHFIELD

Witness

_____/_____
Mayor (or designee) Date

Witness

SUMMIT COUNTY PUBLIC
DEFENDER COMMISSION

Approved as to legal form
and correctness:

_____/_____
Date

_____/_____
Law Director Date

OHIO PUBLIC DEFENDER
COMMISSIONER

_____/_____
Date

CERTIFICATE OF DIRECTOR OF FINANCE

I hereby certify that certificates will be furnished on payment orders issued by the _____ under this contract and that sufficient money is in the treasury under this contract and that sufficient money is in the treasury or in the process of collection to the credit of the appropriate fund or division to discharge the VILLAGES's obligation under this contract as authorized by Ordinance/Resolution No. _____, _____.

Director of Finance

Equipment Cost

(Minimum cost for initial response, increases by 7%-14% based on time at scene/vehicle)

Engine Company	\$734.00
Ladder Tower	\$747.00
Rescue Vehicle	\$721.00
Pumper	\$584.00
Safety Service Vehicle	\$31.00

Manpower Cost

(Includes taxes, insurances, benefits based on time at scene per person)

Firefighter	\$50/hr
Shift Supervisor	\$70/hr
Asst.	\$80/hr
Chief	\$100/hr

VILLAGE OF NORTHFIELD RESOLUTION NO. 2014-68
AN EMERGENCY RESOLUTION CONFIRMING THE DECISION OF THE PLANNING
COMMISSION TO APPROVE THE LOT CONSOLIDATION AND SPLIT REQUESTED
BY LORAIN LENGUEL FOR LOTS LOCATED ON LOWRIE BLVD.

WHEREAS, on November 19, 2014, the Planning Commission approved a lot consolidation and split requested by Loraine Lengyel to consolidate lots 218, 219, 220, 221 and 222 on Lowrie Blvd. and split the consolidated lots into new lots 218R and 221R, as depicted in the plan submitted to the Building and Zoning Department by Ms. Lengyel and approved by the Planning Commission; and

WHEREAS, Section 1220.06 of the Codified Ordinances requires decisions of the Planning Commission to be referred to Council for its confirmation, amendment or reversal; and

WHEREAS, Council has determined that Ms. Lengyel's lot consolidation and split request meets the Village's requirements and is in the Village's best interests; and

WHEREAS, Council desires to confirm the Planning Commission's November 19, 2014 decision to approve the requested lot consolidation and split.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, State of Ohio:

SECTION 1. That the Planning Commission's November 19, 2014 decision to approve the Lowrie Blvd. lot consolidation and split request of Loraine Lengyel is hereby confirmed.

SECTION 2. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council and were in compliance with all legal requirements.

SECTION 2. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that Council is required by law to take action on the matter, and this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this ____ day of _____, 2014.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Clerk of Council of the Village of Northfield, Summit County, Ohio do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2014.

Clerk of Council

VILLAGE OF NORTHFIELD RESOLUTION NO. 2014- 6 9
AN EMERGENCY RESOLUTION REQUESTING THE SUMMIT COUNTY FISCAL OFFICER, IN THE YEAR 2015, TO ADVANCE TO THE VILLAGE MONIES TO WHICH THE VILLAGE IS ENTITLED FROM THE PROCEEDS OF TAX LEVIES FOR THE TAX YEAR 2014

WHEREAS, O.R.C. Section 321.34 provides that money in the County Treasury to the credit of the account of a local authority and lawfully applicable to the purpose of the current fiscal year, may be withdrawn by a municipality upon the proper request; and

WHEREAS, Council has found and determined that sound fiscal policy requires that such withdrawal be requested from the Summit County Fiscal Officer.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That in 2015, the Summit County Fiscal Officer is hereby requested to draw warrants and pay the Village of Northfield all monies presently being held in the Summit County Treasury to the accounts of the Village lawfully applicable to the purpose of the 2015 fiscal year and derived from the proceeds of tax levies for the tax year 2014.

SECTION 2. That the Director of Finance is hereby authorized and directed to promptly forward a copy of this Resolution to the Summit County Fiscal Officer.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its committees and were in compliance with all legal requirements.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that it is necessary for the provision of municipal services by the Village, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2014.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2014.

Clerk of Council

VILLAGE OF NORTHFIELD RESOLUTION NO. 2014- 70
AN EMERGENCY RESOLUTION DESIGNATING COUNCILPERSONS ALAN HIPPS,
ETHAN MILADINOVIC AND GARY VOJTUSH AS THE PUBLIC RECORDS ACT
TRAINING DESIGNEES FOR 2014 FOR MAYOR JESSE NEHEZ AND
COUNCILPERSONS BEA GREENLEE, LINDA BOWEN, AND NICHOLAS
MAGISTRELLI

WHEREAS, Sections 149.43(E)(1) and 109.43(B) of the Ohio Revised Code require all elected public officials or their designees to attend a public records training seminar approved by the Ohio Attorney General's Office; and

WHEREAS, Councilpersons Alan Hipps, Ethan Miladinovic, and Gary Vojtush attended an approved training seminar in 2014; and

WHEREAS, Council desires to designate Mr. Hipps, Mr. Miladinovic, and Mr. Vojtush as Mayor Nehez, Ms. Greenlee, Ms. Bowen, and Mr. Magistrelli's designees for 2014 pursuant to R.C. 149.43(E)(1).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby and herein designates Mr. Hipps, Mr. Miladinovic and Mr. Vojtush as Mayor Nehez, Ms. Greenlee, Ms. Bowen, and Mr. Magistrelli's public records training seminar attendee designees for 2014 pursuant to R.C. 149.43(E)(1).

SECTION 2. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its legal committees and were in compliance with all legal requirements.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that such designation is required by the Ohio Revised Code prior to the date the officials' current terms expire, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2014.

Bea Greenlee, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2014.

Clerk of Council